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Peter Brune

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THE MAXHAM FIRM

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EXAMINER

KARIKARI, KWASI

ART UNIT

PAPER NUMBER

2617

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/980,042	BRUNE ET AL.	
	Examiner	Art Unit	
	KWASI KARIKARI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/10/2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12/10/2010 have been fully considered but they are not persuasive.

In the remarks, regarding claims 1 and 33, the Applicant argues that Billstrom fails to disclose the claimed limitations:

[“...using the message filter to insert said information elements coming from the dedicated network into the signaling flows within the mobile communication network”]; and

[“ the signaling flows are not relayed transparently at said suitable interface...”].

The Examiner respectfully disagrees with such an assertion.

i. Billstrom is understood to teach the claimed limitations: “...using the message filter to insert said information elements coming from the dedicated network into the signaling flows within the mobile communication network” (= GGSN operates to **translate** data formats, signaling protocols and address information; SGSN provides packet routing to and from a service area of the node 106, see col. 7, lines 33-50; SGSN and GGSN context is established and maintained for mobile station 12, see col. 9, lines 39-65; and col. 10, lines 6-55).

ii. Billstrom is understood to teach the claimed limitations: “ the signaling flows are not relayed transparently at said suitable interface”(= GGSN operates to **translate** data

Art Unit: 2617

formats, signaling protocols; and SGSN performs protocol conversions and interrogations of data from the GPRS register, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4).

2. Claims 2-29 (which depend upon claim 1) and claim 33 are also rejected based on the above response.

Drawings

3. New corrected drawings filed on 12/10/2010 are in compliance with 37 CFR 1.121(d) and have been considered.

Claim Rejections - 35 USC § 112

4. The claim rejections under 35 USC § 112, First and Second Paragraphs have been withdrawn.

Claim Objections

5. Claims 1-29 are objected to because of the following informalities:

Claim 1, line 3 recites "...controlling **a said** installation...". Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2617

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-29 and 33 rejected under 35 U.S.C. 102(b) as being anticipated by Billstrom (U.S 5,729,537) (hereinafter, Billstrom).

Regarding claim 1, Billstrom discloses a method(= communication/ authentication between GSM mobile station 12 and network 14 via BTS, MSC and SGSN interfaces, see col. 9, line 39-col. 10, line 33 Figs. 1 and 4); for controlling installations and/or processes by using an existing mobile communication network to exchange information with a network that is dedicated to control said installation and/or process (= GSM mobile station 12 communicate/electronic payment with communication network 14, see col. 5, lines 59-65; and col. 10, lines 6-33; whereby the GSM network is being associated with the "mobile communication network"; packet exchange, see col. 3-12; and SGSN provides packet routing to and from a service area of the node 106, see col. 7, lines 33-50;) comprising the steps of:

(a) exchanging of information between signaling flows within the mobile communication network and the dedicated network (= GSM mobile station 12 communicate/electronic payment with communication network 14, see col. 5, lines 59-65; and col. 10, lines 6-33; whereby the network 14 that includes GGSN/SGSN, is being associated with the "dedicated network"), by using information elements of standardized signaling protocols of the mobile communication network for said exchange (= mobile station 12 includes IP address, see col.6, lines 37-47; and the GGSN operates to

Art Unit: 2617

translate data formats, signaling protocols and address information, see col. 7, lines 33-44), wherein step (a) comprises the steps of:

(b) using a message filter at a suitable interface in the mobile communication network to filter said information elements out of said signaling flows (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4; whereby the **translation** of data formats, signaling protocols and address information; and **authentication/encryption process** in the system 14 is being associated with the “filtering out of signaling”/message filter”);

(c) transferring said filtered information elements to the dedicated network (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4; whereby the **translation** of data formats, signaling protocols and address information; and **authentication/encryption process** in the system 14 is being associated with the “filtering out of signaling”/message filter”; and SGSN and GGSN routing context permit two-way communication, see col. 10, lines 25-33); and

(d) using the message filter to insert said information elements coming from the dedicated network into the signaling flows within the mobile communication network (= GGSN operates to **translate** data formats, signaling protocols and address information; SGSN provides packet routing to and from a service area of the node 106, see col. 7, lines 33-50; and SGSN and GGSN context is established and maintained for mobile station 12, see col. 9, lines 39-65; and col. 10, lines 6-55);

wherein the signaling flows are not relayed transparently (= anonymous data communication, see col. 7, lines 60-67; and col. 8, lines 6-19) at said suitable interface in the mobile communication network, but instead are filtered out of the signaling by a message filter and are transferred by the message filter to the dedicated network (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4”).

Regarding claim 2, as recited in claim 1, Billstrom discloses the method, wherein the inserted information element includes a response from the controlled installation and/or process (see col. 9, lines 19-27; col. 7, lines 17-32; and col. 12, lines 46-60).

Regarding claim 3, as recited in claim 1, Billstrom discloses the method, wherein the content of at least one of said information elements is defined by a terminal involved in the mobile communication network (= SGSN responds with abortion message to the cell...this cause the mobile station to receive the abort message, see col. 9, lines 19-27; and SRES, see col. 7, lines 17-32; and SGSN context includes subscriber data, see col. 10, lines 6-33).

Regarding claim 4, as recited in claim 2, Billstrom discloses the method, wherein the content of at least one of said information elements is defined by a terminal involved in the mobile communication network (= SGSN responds with abortion message to the cell...this cause the mobile station to receive the abort message, see col. 9, lines 19-27;

Art Unit: 2617

and SRES, see col. 7, lines 17-32; and SGSN context includes subscriber data, see col. 10, lines 6-33).

Regarding claim 5, as recited in claim 1, Billstrom discloses the method, wherein an A interface of a GSM or UMTS mobile communication network is used as the interface (= link 74 between BSC and MSC 72, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

Regarding claim 6, as recited in claim 2, Billstrom discloses the method, wherein an A interface of a GSM or UMTS mobile communication network is used as the interface (= link 74 between BSC and MSC 72, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

Regarding claim 7, as recited in claim 3, Billstrom discloses the method, wherein wherein an A interface of a GSM or UMTS mobile communication network is used as the interface (= link 74 between BSC and MSC 72, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

Regarding claim 8, as recited in claim 1, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the interface (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5,

Art Unit: 2617

lines 59-65 and Fig. 1).

Regarding claim 9, as recited in claim 2, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the interface (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

Regarding claim 10, as recited in claim 3, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the interface. (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

Regarding claim 11, as recited in claim 4, Billstrom discloses the method, wherein a MAP interface of a GSM or UMTS mobile communication network is used as the interface (=link between MSC and VLR/HLR, see col. 6, line 60-col. 7, line 8; col. 5, lines 59-65 and Fig. 1).

Regarding claim 12, as recited in claim 1, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

Art Unit: 2617

Regarding claim 13, as recited in claim 2, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 14, as recited in claim 3, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 15, as recited in claim 4, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 16, as recited in claim 5, Billstrom discloses the method, wherein the information exchanged includes at least a subscriber identification (= IMSI is provided for authentication process; and mobile station 12 identifies itself to communication network, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 17, as recited in claim 1, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for

Art Unit: 2617

authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 18, as recited in claim 2, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 19, as recited in claim 3, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 20, as recited in claim 4, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

Art Unit: 2617

Regarding claim 21, as recited in claim 5, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 22, as recited in claim 6, Billstrom discloses the method, wherein the information exchanged includes at least a location identification (= IMSI is provided for authentication process; mobile station 12 identifies itself to communication network; and group identifier 44 includes destination address/IP 48, see col. 2, lines 38-52; and col. 8, lines 36-54).

Regarding claim 23, as recited in claim 1, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

Regarding claim 24, as recited in claim 2, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

Art Unit: 2617

Regarding claim 25, as recited in claim 3, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

Regarding claim 26, as recited in claim 4, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

Regarding claim 27, as recited in claim 5, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

Regarding claim 28, as recited in claim 6, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. col. 7, lines 9-31 and Fig. 1).

Regarding claim 29, as recited in claim 7, Billstrom discloses the method, wherein the exchange of information takes place through a unit of the mobile communication

network which has at least the function of a home location register and/or an authentication center (= HLR/AUC, see col. 7, lines 9-31 and Fig. 1).

Regarding claim 33, Billstrom discloses a method of using an existing mobile communication network to exchange information with a dedicated network (= communication/ authentication between GSM mobile station 12 and network 14 via BTS, MSC and SGSN interfaces, see col. 9, line 39-col. 10, line 33 Figs. 1 and 4; and packet exchange, see col. 3-12), the method comprising:

(a) exchanging information between the mobile communication network and the dedicated network by using information elements of standardized signaling protocols of the mobile communication network for said exchange (= GSM mobile station 12 communicate/electronic payment with communication network 14, see col. 5, lines 59-65; and col. 10, lines 6-33; whereby the network 14 that includes GGSN/SGSN, is being associated with the "dedicated network"), wherein step (a) comprises the steps of;

(b) using a message filter at an interface in the mobile communication network to filter a first information element out of signaling flows within the mobile communication network (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4; whereby the **translation** of data formats, signaling protocols and address information; and **authentication/encryption process** in the system 14 is being associated with the "filtering out of signaling"/message filter");

(c) transferring said filtered first information element from the message filter to the dedicated network (= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4; whereby the **translation** of data formats, signaling protocols and address information; and **authentication/encryption process** in the system 14 is being associated with the “filtering out of signaling”/message filter”; and SGSN and GGSN routing context permit two-way communication, see col. 10, lines 25-33);

(d) receiving a second information element from the dedicated network
(= network generated RAND is send, see col. 12, lines 46-52); and

(e) using the message filter to insert the received second information element into a standardized signaling protocol of the mobile communication network at the interface(= GGSN operates to **translate** data formats, signaling protocols and address information, see col. 7, lines 33-44; col. 8, lines 6-36; col. 9, lines 58-65 and Figs. 1 and 4”); wherein the signaling flows are not relayed transparently at the interface
(= anonymous data communication, see col. 7, lines 60-67; and col. 8, lines 6-19).

CONCLUSION

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2617

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose **telephone number is 571-272-8566**. The examiner can normally be reached on M-T (7am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. **The fax phone number** for the organization where this application or proceeding is assigned is **571-273-8566**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kwasi Karikari/
Patent Examiner (PSA): Art Unit 2617.